

Remarks

Claims 1-20 are pending in the application.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unallowable over Fischer (US 20030214930 A1, hereinafter Fischer) in view of Zehavi (US 5757767 B1, hereinafter Zehavi).

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or simply is clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., simply to avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, because a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the

original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Rejection Under 35 U.S.C. §103

Claims 1-20

Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unallowable over Fischer in view of Zehavi. The rejection is traversed.

The Office Action fails to establish a *prima facie* case of obviousness, because Fisher, Zehavi, or their combination does not teach or suggest Applicants' claimed invention as a whole. More specifically, regarding Applicants' claim 12, Fisher does not teach or suggests at least:

“an addressing device for defining a storage location for said received data packets according to for which communications device of said network the received data packets are intended;

a memory for storing said received data packets in different sections according to the storage location defined by said addressing device, wherein the data packets stored within each of said different sections are respectively timed aligned,”

as recited in claim 12 (emphasis added). The Examiner asserts that Applicants' addressing device is taught in Fig. 5 of Fisher by processor 520 reasoning that packets are uniquely identified by a combination including a destination MAC address. The Examiner further equates Applicants' memory with the RX FIFO of Fisher also shown in Fig. 5. Applicants respectfully disagree.

Fig. 5 illustrates a WLAN interactive device including the processor 520. As disclosed by Fisher, the processor 520 provides for Internet communication connectivity and includes an aggregated fragment acknowledgement frame (AFAF) functionality. The processor 520 may employ several different architectures for providing the Internet communication connectivity, namely V.92 Modem, 802.113 MAC, and Ethernet MAC, where each of such architectures is in communication with corresponding RX / TX FIFO memory. However, Fisher does not teach or suggest that the RX FIFO memory shown in Fig. 5 are different memory sections, where each memory section corresponds to a storage location defined by the processor 520 according to a communications device the received data packets are intended. In other words, Fisher does not teach or suggest that

which data packets are stored in a particular RX FIFO memory shown in Fig. 5 depends on for which communications device such packets are intended. Rather, Fisher merely suggests that if the received data packets were to be stored, a RX FIFO portion that would be used for storing such packets depends on the means (type of architectures) used by the WLAN interactive device to receive the packets. This is entirely different from the Applicants' claimed arrangement where whether received packets are stored in a particular memory section is defined by whether the packets are intended to a particular communications device.

Furthermore, option of identifying packets by a destination MAC address by itself is not sufficient to teach or suggest that the processor 520 defines a storage location for a packet according its intended destination. This merely suggests that the processor 520 may determine to which communications device the packet should be transmitted. However, it falls short of teaching or suggesting that such information should be used to define where the packet should be stored.

Similarly, regarding claim 1, Fisher does not teach or suggest:

"sorting data packets received during a predetermined time period into groups according to for which communications device of said network the received data packets are intended; respectively time aligning the data packets in each of the groups"

(emphasis added).

According to Fisher's arrangement, the packets are transmitted in streams, where a stream is a set of packets sent in one direction to the same destination MAC address. Each stream has a unique stream ID and the packets transmitted within the stream are assigned consecutive sequence numbers starting with an arbitrary number. (see Fisher: e.g., paragraph [0071] – [0072]). Accordingly, when a receiver receives a stream of packets, all of such packets are addressed to one communication devices and already time aligned (if, as suggested by the Examiner, the sequence number indicates a time aligned data packet). Therefore, not only Fisher does not disclose sorting and time aligning the received packets, as done in Applicants' arrangement of claim 1, but there is no need for Fisher to do so.

Accordingly, Fisher does not teach or suggest Applicants claim 1 and claim 12 as a whole. Because there is no argument put forth in the Office Action that Zehavi supplies

what is missing from Fisher, the Office Action does not establish the *prima facie* case of obviousness, and thus, claims 1 and 12 are allowable under 35 U.S.C. §103(a) over Fischer in view of Zehavi. Independent claims 19 and 20 recite relevant limitations similar to those recited in independent claim 12 and, as such, for at least the same reasons discussed above, independent claims 12, 19, and 20 also are allowable under 35 U.S.C. §103(a) over Fischer in view of Zehavi.

Because all of the dependent claims depending from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable under 35 U.S.C. §103(a) over Fischer in view of Zehavi.

The Examiner is respectfully requested to withdraw the rejection.

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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Eamon J. Wall
Registration No. 39,414
Attorney for Applicants

PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808